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August 23, 2010

The Honorable Leon Panetta
Director
Central Intelligence Agency
[redacted] OHB
Washington, DC 20505

(b)(3)

Dear Director Panetta,

On August 20, 2010, the world observed the one year anniversary of the release of Abdelbaset Ali Mohmed al-Megrahi, a Libyan intelligence officer who was convicted of bombing Pan Am Flight 103 over Lockerbie, Scotland. Although he was given a life sentence for his crime, the Scottish Government regrettably chose to release Mr. al-Megrahi on grounds of compassion, ostensibly justified by a medical prognosis of terminal prostate cancer that gave him less than three months to live. Yet, a year after his release, he is very much alive.

The Lockerbie bombing took the lives of 189 Americans, many of whom were serving their country in foreign lands. Indeed, the Intelligence Community lost four of its officers, one of whom was Matthew Gannon, [redacted] Mr. Gannon was one of seven Californians that lost their life that day, a fact that you are no doubt aware of as a native Californian and as a former member of Congress. Regardless of location, the families of the 189 victims now have to live with the knowledge that the man who murdered their loved one is living a life of luxury in a posh villa in Tripoli.

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With the support of the Senate Foreign Relations Committee, I have been leading an investigation into the particulars of Mr. al-Megrahi's release and have scheduled a hearing for September 29th. A critical element of my hearing will be whether undue commercial or political influences led to Mr. al-Megrahi's release. I believe that the US Intelligence Community may very well hold critical pieces of information related to this issue.

I would ask that, in your capacity as Director of the Central Intelligence Agency, you encourage CIA staff to provide their time, counsel, and critical data that would clarify whether indeed commercial or political influences led to the freedom of an unrepentant terrorist. My staff has already spoken with the SSCI's staff director and placed calls to the CIA's Office of Congressional Affairs. While we await their response, I would be grateful if you added your voice of full support by instructing the relevant departments at the Agency (OCA, CTC, EUR, and NE) to participate fully in our inquiry.

While the information we seek is clearly sensitive and likely classified, I believe that we can mitigate any concerns that the Intelligence Community might have. First, my lead investigator is a former CIA Operations Officer who has a TS/SCI clearance and would be available to view any documents in a secure location. In the event there are documents or intelligence reports that

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ought to be revealed, we would work in close cooperation with CIA and SSCI staff to do so with great sensitivity to the sources and methods used to collect the information.

I offer my sincere thanks for your consideration and make myself available for a telephone conversation at your convenience to discuss my request.

Sincerely,

ROBERT MENENDEZ
United States Senator

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